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PTO/SB/30 (08-00)

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

<i>NOV 07 2003</i>	<b>Application Number</b>	09/440,535
	<b>Filing Date</b>	NOVEMBER 16, 1999
	<b>First Named Inventor</b>	TAMAKI KOBAYASHI ET AL.
	<b>Group Art Unit</b>	2879
	<b>Examiner Name</b>	A. PATEL
	<b>Attorney Docket Number</b>	03500.014023.

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

a.  Previously submitted

- i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_ (Any unentered amendment(s) referred to above will be entered).
- ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii.  Other \_\_\_\_\_

b.  Enclosed

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|--|------------|--------|----|
| i. <input checked="" type="checkbox"/> Amendment After Final         | 01 FC:1801 | 770.00 | OP |
| ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)             |            |        |    |
| iii. <input type="checkbox"/> Information Disclosure Statement (IDS) |            |        |    |
| iv. <input type="checkbox"/> Other _____                             |            |        |    |

**2. Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. 06-1205

- i.  RCE fee required under 37 C.F.R. § 1.17(e)
- ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii.  Other \_\_\_\_\_

b.  Checks in the amounts of \$ 770.00 (RCE fee) and \$110.00 (Extension of Time fee)

c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	FRANK A. DELUCIA	Registration No. (Attorney/Agent)	42,476
Signature	<i>Frank A. Delucia</i>	Date	November 3, 2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	FRANK A. DELUCIA	
Signature	<i>Frank A. Delucia</i>	Date November 3, 2003

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